REMARKS

Claims 11-30 are in the application.

Claims 11, 16-18, 20, 25-27, and 30 have been amended to delete the term "about".

Rejection under 35 U.S.C. § 112

Claims 11-30 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to distinctly claim the invention. The Office Action asserts that the phrase "at least about" renders the claim indefinite. Applicants have amended Claims 11, 16-18, 20, 25-27, and 30 to delete the term "about". Applicants thus submit that this rejection is now moot.

Rejection under 35 U.S.C. § 103

Claims 11-30 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Meixner et al., WO 98/17764, in view of Boeckh et al., U.S. Patent No. 6,025,322. Applicants respectfully traverse this rejection. Meixner et al. teach detergent or cleaning compositions comprising crosslinked nitrogenous compounds that are soluble and dispersible in water and are obtainable by crosslinking of compounds containing at least three NH groups with at least bifunctional crosslinkers that react with the NH groups. The crosslinked nitrogenous compounds are incorporated in the detergent or cleaning compositions to act as soil release agents and/or enzyme stabilizers. Meixner et al. further teach that its compositions can optionally further comprise color transfer inhibitors such as polymers of vinylpyrrolidone vinylimidazole, vinyloxazolidone, or 4-vinylpyridine N-oxide having molecular weights of from 15,000 to 100,000. However, Meixner et al. do not teach or suggest, as the Office Action properly admits, a composition comprising at least 0.1% of a transition metal-comprising dye protection system comprising one or more oligomers formed from the reaction of 1 part of an epihalohydrin and from 0.5 to 2 parts of a substituted or unsubstituted imidazole, as required by the present claims.

Boeckh et al. teach detergent compositions comprising polycationic condensates obtainable by condensing, e.g., piperazine and/or imidazole with epihalohydrin in a molar ratio of from 1:0.8 to 1:1.1. These polycationic condensates are incorporated in the detergent compositions for suppressing release and transfer of dyes to other textiles during the washing and after-treatment of colored fabrics. Boeckh et al. teach that its compositions can optionally further comprise other conventional ingredients, such as soil release polymers (*see* col. 4, line 46; Examples II and V). However, Boeckh et al. do not teach or suggest compositions that comprise a fabric enhancement system comprising one or more modified polyamine compounds, as required by the present claims.

The Office Action asserts that it would have been obvious to one of ordinary skill in the art to have used polycationic condensates in the compositions of Meixner et al. because Boeckh et al. teach the dye transfer inhibition properties of polycationic condensates and Meixner et al. teach the use of color transfer inhibitors in general.

Applicants respectfully disagree with this assertion and traverse the present rejection. The present invention is based upon the discovery that certain modified polyamine compounds that have been previously utilized to provide various fabric benefits also tend to chelate heavy metals, such as copper, which are components of certain conventional fabric dyes. As a result, these modified polyamine compounds can have a detrimental effect on fabrics containing certain transition-metal containing fabric dyes. Applicants have unexpectedly found that certain oligomers formed from the reaction of 1 part of an epihalohydrin and from 0.5 to 2 parts of an imidazole tend to abate the pejorative effects of heavy metal ion chelation by the modified polyamine compounds on certain transition-metal containing fabric dyes. Neither Meixner et al. nor Boeckh et al. recognize this potential problem with modified polyamine compounds, as presently claimed, and therefore do not teach or suggest the combination of modified polyamine compounds and oligomers formed from the reaction of 1 part of an epihalohydrin and from 0.5 to 2 parts of an imidazole, to provide fabric care benefits without the potential drawback of heavy metal ion chelation of certain fabric dyes by the modified polyamine compounds, as presently claimed. Since neither Meixner et al. nor Boeckh et al. teach or suggest compositions comprising this combination of components to provide fabric care benefits without the negative effects of heavy metal ion chelation on certain fabric dyes, Applicants submit that Claims 11-30 are unobvious and patentable over Meixner et al. in view of Boeckh et al. under 35 U.S.C. § 103(a).

Furthermore, Claims 17, 18, 20, and 26 require an oligomer formed from the reaction of 1 part of epichlorohydrin and at least 1.4 parts of imidazole, which is especially unobvious over Meixner et al. in view of Boeckh et al. Boeckh et al. disclose polycationic condensates obtainable by condensing, e.g., piperazine and/or imidazole with epihalohydrin in a molar ratio of from 1:0.8 to 1:1.1 (i.e. 1 part of epihalohydrin and from 0.9 to 1.25 parts of piperazine and/or imidazole); however, Boeckh et al. do not teach or suggest polycationic condensates obtained by reacting 1 part of epichlorohydrin and at least 1.4 parts of imidazole, as required by Claims 17, 18, 20, and 26. As such, Applicants submit that Claims 17, 18, 20, and 26 are especially unobvious and patentable over Meixner et al. in view of Boeckh et al. under 35 U.S.C. § 103(a).

Double Patenting

Claims 11-30 have been rejected under the doctrine of obviousness-type double patenting as being unpatentable over Claims 1-31 of copending Application No. 09/655,121 and Claims 31 and 33-50 of copending Application No. 09/890,676. Once patentable subject matter has otherwise been identified, Applicants will consider submitting a terminal disclaimer(s) to obviate these rejections.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, reconsideration of the application and allowance of all claims are respectfully requested.

Respectfully submitted,

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January 22, 2004
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Customer Number: 27752